UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,039	01/29/2004	Hiroyuki Hatta	1538.1045	2575

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EXAMINER
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ART UNIT	PAPER NUMBER
2163	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/766,039	HATTA ET AL.
	Examiner	Art Unit	
	Wilson Lee	2163	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _9/26/06_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-19_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-19_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Claim Objections

Claim 19 is objected and has not been treated on the merits because it fails to

further limit the claimed invention.

Claim Rejections – 35 U.S.C. 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

Claim 19 is vague because the search processing apparatus in Claim 19 is not

found in any intervening claims.

Claim Rejections – 35 U.S.C. 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
conditions and requirements of this title.

Claims 16 and 17 are rejected under 35 U.S.C. 101 because the disclosed

invention is inoperative and therefore lacks utility. The phrase "being executable by a

processor" must be inserted in the claim in order to enable the claimed invention.

Claim Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Luke

(7,130,867).

Regarding Claims 1, 16, Luke discloses a computer-implemented search

processing method or a computer readable medium storing instructions comprising:

- searching a predetermined document group according to a first search

condition specified by a user to extract data of a plurality of documents

from a storage that stores said predetermined document group (See Col.

4, lines 22-39, Col. 6, lines 21-29, lines 53-63, Col. 7, lines 16-32, Col. 8,

lines 6-26, Col. 14, lines 1-35);

- transforming said data of said plurality of documents into information to

indicate said data of said plurality of documents to said user in a first

display form and to enable said user to select a display item to be utilized

as a second search condition in a following processing, and outputting

the transformed information (See Col. 3, lines 35-55, Col. 6, lines 20-29,

line 64 to Col. 15, and Col. 14, lines 15-35);

- extracting data of documents corresponding to said display item selected

by said user (See Col. 1, lines 30-36, Col. 3, lines 35-54, Col. 14, lines 1-

14); and

- transforming said data of said documents corresponding to said selected

display items item into information to indicate said data of said

documents to said user in a second display form specified by said user

and to enable said user to select a display item to be utilized as a third

search condition in a following processing, and outputting the

transformed information (See Col. 3, lines 35-55, Col. 6, lines 20-29, line

64 to Col. 15, and Col. 14, lines 15-35).

Regarding Claim 2, Luke discloses that the first and second display forms is at

least either of

- a form showing indications of the extracted documents, and segments

between the indications, each the segment representing a degree of

relevancy between the extract documents, that is calculated by used

words in the extracted documents (See Col. 3, lines 8-20, Col. 9, lines

10-39, Col. 12, lines 4-14),

- a form showing used words in the extracted documents and segments

representing a degree of relevancy among the used words (See Col. 3,

lines 8-20, Col. 9, lines 10-39, Col. 12, lines 4-14).

Regarding Claims 3-12, Luke briefly discloses dividing document into clusters

(See Figures 3, 9-12), extracting data to be displayed (See Col. 1, lines 30-36, Col. 3,

lines 35-54, Col. 14, lines 1-14); generating information for each cluster (See Figures 3,

9-12), categorizing the documents (into folders) corresponding to the selected display

item (See Figure 3), calculating a degree of relevancy between the document group and

a used word (See Col. 3, lines 8-20, Col. 9, lines 10-39, Col. 12, lines 4-14).

Regarding Claim 13, Luke discloses that a document included in the

predetermined document group is a patent document and the display item is either of

bibliographic information of the patent document and a used word (See Figures 1-3, 7,

11).

Regarding Claim 14, Luke discloses that at least either of the first and second

transformings comprises specifying a display program corresponding to a display form,

and generating information for the display program (See abstract and See Col. 3, lines

35-55).

Regarding Claim 15, Luke discloses that at least either of the first and second

display forms is an arbitrary combination of predefined display forms (See Col. 3, lines

35-54).

Regarding Claim 17, Luke discloses that the first and second display forms is at

least either of

- a form showing indications of the extracted documents, and segments

    between the indications, each the segment representing a degree of

    relevancy between the extract documents, that is calculated by used

    words in the extracted documents (See Col. 3, lines 8-20, Col. 9, lines

    10-39, Col. 12, lines 4-14),

- a form showing used words in the extracted documents and segments
  representing a degree of relevancy among the used words (See Col. 3,
  lines 8-20, Col. 9, lines 10-39, Col. 12, lines 4-14);

- a form showing first indications of document groups, second indications
  of used words, in the extracted documents and segments between the
  first indications and the second indications the document group being
  composed of the extracted documents associated by a specific matter,
  and each of the segments representing a degree of relevancy between
  the document group and the used word (See Col. 3, lines 8-20, Col. 9,
  lines 10-39, Col. 12, lines 4-14);

Regarding Claim 18, Luke discloses a search processing apparatus comprising:

- a search unit that searches a predetermined document group according
  to a first search condition specified by a user to extract data of a plurality
  of documents (See Col. 4, lines 22-39, Col. 6, lines 21-29, lines 53-63,
  Col. 7, lines 16-32, Col. 8, lines 6-26, Col. 14, lines 1-35);

- a first transformer that transforms the data of the plurality of documents
  into information to indicate the data of the plurality of documents to the
  user in a first display form and to enable the user to select a display item
  to be utilized as a second search condition a following processing, and
  outputting corresponding to the display item selected by the user (See
  Col. 3, lines 35-55, Col. 6, lines 20-29, line 64 to Col. 15, and Col. 14,
  lines 15-35);

- extractor that extracts data of documents corresponding to the display item selected by the user (See Col. 1, lines 30-36, Col. 3, lines 35-54, Col. 14, lines 1-14); and

- a second transformer that transforms the data of the documents corresponding to the selected display item into information to indicate the data of the documents to the user in a second display form specified by the user and to enable the user to select a display item to be utilized as a third search condition in a following processing, and outputting the transformed information (See Col. 3, lines 35-55, Col. 6, lines 20-29, line 64 to Col. 15, and Col. 14, lines 15-35);

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Lizuka et al. (7,133,860).

Regarding Claims 1, 16, Lizuka discloses a computer-implemented search processing method or a computer readable medium storing instructions comprising:

- searching a predetermined document group according to a first search condition specified by a user to extract data of a plurality of documents from a storage that stores said predetermined document group (See Col. 7, line 50 to Col. 8, line 4);

- transforming said data of said plurality of documents into information to indicate said data of said plurality of documents to said user in a first display form and to enable said user to select a display item to be utilized as a second search condition in a following processing, and outputting

the transformed information (see Col. 1, lines 8-14 and Figures 1,14, 19,

23-27, 33);

- extracting data of documents corresponding to said display item selected

by said user (See Col. 7, line 50 to Col. 8, line 4); and

- transforming said data of said documents corresponding to said selected

display items item into information to indicate said data of said

documents to said user in a second display form specified by said user

and to enable said user to select a display item to be utilized as a third

search condition in a following processing, and outputting the

transformed information (See Col. 1, lines 8-14 and Figures 1,14, 19,

23-27, 33).

Regarding Claim 2, Lizuka discloses that each the first and second display forms

is at least either of

- a form showing indications of extracted documents that have been

classified by used words in the extracted documents (See Figures 3, 5,

6, Col. 1, line 15 to Col. 2, line 3; Col. 5, lines 11-54; Col. 8, lines 10-32);

- a form showing a graph representing a result obtained by classifying and

aggregating the extracted documents based on used words in the

extracted documents (See Figures 3, 5, 6, Col. 1, line 15 to Col. 2, line 3;

Col. 5, lines 11-54; Col. 8, lines 10-32).

Regarding Claims 3-12, Lizuka briefly discloses dividing documents into clusters,

(See Col. 2, lines 3-18, line 56 to Col. 4, line 11), extracting data to be displayed,

generating information for the extracted data, (See Col. 1, lines 8-14, Col. 7, line 50 to

Col. 8, line 4), classifying or categorizing the documents corresponding to the selected

display item (See Figure 17), calculating a degree of relevancy between used words

(See Col. 8, lines 45 to Col. 9, line 31).

Regarding Claim 13, Lizuka discloses that a document included in the

predetermined group is a patent document, and the display item is either of

bibliographic information of the patent document and a used word in the patent

document (See Col. 1, line 7 to Col. 2, line 3).

Regarding Claim 14, Lizuka discloses that at least either of the first and second

transformings comprises specifying a display program corresponding to a display form,

and generating information for the display program (See Col. 1, lines 8-14, Col. 2, lines

4-18, Col. 5, lines 11-53, Claims 15, 16).

Regarding Claim 15, Lizuka discloses that at least either of the first and second

display forms is an arbitrary combination of predefined display forms. (See Col. 1, lines

8-14, Col. 4, lines 30-67, Col. 5, lines 11-53 and Figures 1,14, 19, 23-27, 33).

Regarding Claim 17, Lizuka discloses that each the first and second display

forms is at least either of

- a form showing indications of extracted documents that have been

   classified by used words in the extracted documents (See Figures 3, 5,

   6, Col. 1, line 15 to Col. 2, line 3; Col. 5, lines 11-54; Col. 8, lines 10-32);

- a form showing a graph representing a result obtained by classifying and

   aggregating the extracted documents based on used words in the

extracted documents (See Figures 3, 5, 6, Col. 1, line 15 to Col. 2, line 3;

Col. 5, lines 11-54; Col. 8, lines 10-32).

Regarding Claim 18, Lizuka discloses a search processing apparatus

comprising:

- a search unit that searches a predetermined document group according

    to a first search condition specified by a user to extract data of a plurality

    of documents (See Col. 7, line 50 to Col. 8, line 4);

- a first transformer that transforms the data of the plurality of documents

    into information to indicate the data of the plurality of documents to the

    user in a first display form and to enable the user to select a display item

    to be utilized as a second search condition a following processing, and

    outputting corresponding to the display item selected by the user (see

    Col. 1, lines 8-14, Col. 4, lines 30-67, Col. 5, lines 11-53 and Figures

    1,14, 19, 23-27, 33);

- extractor that extracts data of documents corresponding to the display

    item selected by the user (See Col. 7, line 50 to Col. 8, line 4); and

- a second transformer that transforms the data of the documents

    corresponding to the selected display item into information to indicate the

    data of the documents to the user in a second display form specified by

    the user and to enable the user to select a display item to be utilized as a

    third search condition in a following processing, and outputting the

transformed information (See Col. 1, lines 8-14, Col. 4, lines 30-67, Col.

5, lines 11-53 and Figures 1,14, 19, 23-27, 33).

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Hubert et al. (7,133,862) discloses a system with user directed

enrichment and import/export control. Oosta (7,130,848) discloses methods for

document indexing and analysis. Cronin et al. (7,117,198) discloses a method of

researching and analyzing information contained in a database. Tsuda (7,003,442)

discloses a document file group organizing apparatus and method. Shimada et al.

(6,826,724) discloses a document processor, document classification device.

Correspondence

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Examiner Wilson Lee whose telephone number is (571)

272-1824.

Papers related to the application may be submitted by facsimile transmission.

Any transmission not to be considered an official response must be clearly marked

"DRAFT". The official fax number is (571) 273-8300.

Information regarding the status of an application may be obtained from the

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have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Wilson Lee
Primary Examiner
U.S. Patent & Trademark Office

12/10/06